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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/346,789	07/02/1999	FREDERICK E. NIEMI	112025-0125	2883

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EXAMINER	
BULLOCK JR, LEWIS ALEXANDER	
ART UNIT	**PAPER NUMBER**
2126	

DATE MAILED: 12/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/346,789	NIEMI, FREDERICK E.	
	Examiner	Art Unit	
	Lewis A. Bullock, Jr.	2126	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 September 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *9* .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Drawings

1. The drawings were received on 9/11/03. These drawings are approved.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2, 7-9, 11, 13-18, 20, and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by WALDO (US 6,185,611).

As to claim 1, WALDO teaches a method for use in a computer network (distributed system) having a process manager (lockup service) and a network management station (client) for reporting to the network management station (client) the addition of new applications or processes (new services wherein a service is an application or utility) to the computer network, the method comprising the steps of: providing a configuration service layer (discovery server) in communicating relationship with a new application or process (new service) and the process manager (lookup service); in response to opening the new application or process (new service), issuing a registration service request from the new application or process to the process manager

through the configuration service layer (register new service with the lookup service wherein the location of the lookup service is provided by the discovery server); establishing a method at the network management station (client) for persistently and continuously listening for messages (event notifications) from the process manager (lookup service) (via registering for notification); in response to receiving the registration service request (registration of new service) at the process manager (lookup service), generating and forwarding a notification message (notification) that identifies the new application or process (new service) to the network management station (client); and automatically displaying the notification message (via screen of available services) at the network management station (client) without having to close and re-start the management station (clients can avoid attempting to access a service that is no longer available and can make use of new services as soon as they are added to the lookup service) (col. 2, lines 50-62; col. 4, lines 11-63; col. 5, line 48-col. 6, line 8; col. 6, lines 45 – col. 7, line 31; col. 10, line 46 – col. 12, line 18).

As to claim 8, WALDO teaches a computer workstation (client) for use in a computer network having at least one process manager (lookup service), the workstation comprising: at least one application or process (new services wherein a service is an application or utility); a network communication facility (Java runtime environment); a configuration service layer (discovery server) in communicating relationship with the at least one application or process (new service) and the network communications facility (Java runtime environment) (fig. 2), , wherein the at least one

application or process (new service) and the configuration service layer (discovery server) cooperate to generate and issue, a registration service request (register new service with the lookup service wherein the location of the lookup service is provided by the discovery server) to the at least one process manager (lookup service) upon opening of the at least one application or process (new service) at the computer workstation (client) (col. 2, lines 50-62; col. 4, lines 11-63; col. 5, line 48-col. 6, line 8; col. 6, lines 45 – col. 7, line 31; col. 10, line 46 – col. 12, line 18).

As to claim 2, WALDO teaches creating a process manager window (screen) at the network management station (client) that displays a list of applications and processes opened in the computer network (available services); and in response to receiving the notification message (notification that another client added a service), adding the new application or process (new service) to the list of applications and processes displayed in the process manager window (screen) (col. 12, lines 20 – 64; col. 11, line 52 – col. 12, line 19; col. 2, line 50-62).

As to claims 7 and 11, reference is made to a computer readable medium that corresponds to the methods of claims 1 and 2 and is therefore met by the rejection of claims 1 and 2 above.

As to claim 9, WALDO teaches detecting a new device (new service wherein service is a device) added to the network; and upon detecting the new device (new

service), generating a second notification object (notification); and passing the second notification object to the network management station (client) (col. 2, lines 50-62; col. 4, lines 11-63; col. 5, line 48-col. 6, line 8; col. 6, lines 45 – col. 7, line 31; col. 10, line 46 – col. 12, line 18).

As to claim 13, refer to claim 2 for rejection.

As to claim 14, WALDO teaches the user interface application (client / program / browser) is configured to receive the notification message (notification) and display the notification message at the network management station without having to close and re-start the management station (clients can avoid attempting to access a service that is no longer available and can make use of new services as soon as they are added to the lookup service) (col. 2, lines 50-62; col. 4, lines 11-63; col. 5, line 48-col. 6, line 8; col. 6, lines 45 – col. 7, line 31; col. 10, line 46 – col. 12, line 18)..

As to claim 15, WALDO teaches a topology server (discovery server / lookup service) configured to detect a new device (new service wherein service is a device) added to the network and upon detecting the new device, to issue a notification object (notification) to a user application interface station (client) (col. 2, lines 50-62; col. 4, lines 11-63; col. 5, line 48-col. 6, line 8; col. 6, lines 45 – col. 7, line 31; col. 10, line 46 – col. 12, line 18).

As to claim 16, WALDO teaches a system for dynamically modifying the configuration, settings and other parameters with one or more applications or processes running in a computer network, the system comprising: means for registering with a process manager (look up service) upon opening an application or process (new services wherein a service is an application or utility); means for generating a notification object (notification) upon the registration of an opened application or process (register new service with the lookup service wherein the location of the lookup service is provided by the discovery server), wherein the notification object contains a reference identifying the opened application or process (i.e. stub or object); means for passing the notification object to one or more user interface applications (client); and means for presenting the notification object (notification) in one user interface application (client) without having to close and re-start the respective user interface application (clients can avoid attempting to access a service that is no longer available and can make use of new services as soon as they are added to the lookup service) (col. 2, lines 50-62; col. 4, lines 11-63; col. 5, line 48-col. 6, line 8; col. 6, lines 45 – col. 7, line 31; col. 10, line 46 – col. 12, line 18).

As to claim 17, WALDO teaches each user interface application (client / program / browser) contains a window (screen), the system comprising: means for displaying the notification object (notification that another client added a service) in one window contained in a user interface application (client) (col. 12, lines 20 – 64; col. 11, line 52 – col. 12, line 19; col. 2, line 50-62).

As to claim 18, WALDO teaches means for creating a process manager window (screen) that displays a list of applications and processes opened in the computer network (available services); and means for adding an application or process (new service) to the list of applications and processes (available services) displayed in the process manager window in response to receiving the notification object (col. 12, lines 20 – 64; col. 11, line 52 – col. 12, line 19; col. 2, line 50-62).

As to claims 20 and 21, WALDO teaches means for detecting a new device (new service) added to the network (via discovery server / lookup service); and means for issuing a service request (access the device) to a user application interface (client) upon detecting the new device, wherein the service request contains a name identifying the new device (via icons); means for receiving the service request at a user application (client) (via selection of icon); and means for adding the name identifying the new device to a list of devices displayed in a window presented on a display screen of a workstation (via add a service) (col. 12, lines 20 – 64; col. 11, line 52 – col. 12, line 19; col. 2, line 50-62).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over WALDO (US 6,185,611) in view of "Monitoring Distributed Systems" by JOYCE .

As to claim 10, WALDO teaches the detection and notification of devices as well as processes (col. 2, lines 50-62; col. 4, lines 11-63; col. 5, line 48-col. 6, line 8; col. 6, lines 45 – col. 7, line 31; col. 10, line 46 – col. 12, line 18). However, WALDO does not teach the displaying of a location.

JOYCE teaches in response to receiving a notification object (event), displaying a name and a location (vaxc.Calgary / vaxa.Vancouver....) associated with the new object at the network management station (console) (pg. 140, fig.12). Therefore, it would be obvious to combine the teachings of WALDO with the teachings of JOYCE in order to enable a system of processes spanning multiple machines to be observed and controlled from a single workstation (pg. 125, A Distributed Monitoring System).

6. Claims 12 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over WALDO in view of "Unifying Distributed Processing and Open Hypermedia through a Heterogeneous Communication Model" by GOOSE et al.

As to claim 12, WALDO substantially discloses the invention. However, WALDO does not teach the obtaining and displaying of a status object. GOOSE teaches wherein a process has parameters (state) associated with a status function (launch function), comprising the steps of: in response to selecting the process (select a particular process) from the process manager window (initial display), obtaining a

respective status object (top-level interface) from the new process; and displaying the obtained status object (top-level interface) (pg. 10, To provide a consistent and central interface to the processes, the process manager of the HCM was extended to allow each process to be configured and manipulated through it. As the PH of each process executes, a launch message is received by the PM. The initial display on the PM is a list of processes in the system, which is updated dynamically. A user can select a particular process, which instructs the PH of the selected process to display its top-level interface."). It is inherent that since WALDO displays the new process (new service created) along with already executing processes (services previously known) that the combination allows for the display and manipulation of parameters of the new process as well by the client. It is also well known in the art at the time of the invention that buttons on a window or display are used to invoke methods or access data and therefore obvious that a button on the display when invoked would obtain and display the status object. Therefore, it would be obvious to combine the teachings of WALDO with the teachings of GOOSE in order to allow the user and other processes the ability to call forward the interfaces of both local and remote processes (pg. 10).

As to claim 19, refer to claim 12 for rejection.

7. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over WALDO (US 6,185,611) in view of "Red Hat Linux Unleashed" by HUSAIN.

As to claim 3, WALDO substantially discloses the invention above. However, WALDO does not teach the displaying of a status, start time and location.

HUSAIN teaches displaying a status (stat column), a start time (start time column) and a location (TTY) of the processes (pg. 3 and 4-6, ps command output / useful ps options). It is inherent based on the combination that since the status is sent from the process that other pertinent information of the processes, i.e. its starting time, are also sent. Therefore, it would be obvious to combine the teachings of WALDO with the teachings of HUSAIN in order to display other pertinent information of currently executing processes.

As to claim 4, HUSAIN teaches the status includes one of up (running) (pg. 3, "The STAT column....").

8. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over WALDO in view of HUSAIN as applied to claim 3 above, and further in view of "Unifying Distributed Processing and Open Hypermedia through a Heterogeneous Communication Model" by GOOSE et al.

As to claim 5, the combination substantially discloses the invention. However, the combination does not teach the obtaining and displaying of a status object. GOOSE teaches wherein a process has parameters (state) associated with a status function (launch function), comprising the steps of: in response to selecting the process (select a particular process) from the process manager window (initial display), obtaining a

respective status object (top-level interface) from the new process; and displaying the obtained status object (top-level interface) (pg. 10, To provide a consistent and central interface to the processes, the process manager of the HCM was extended to allow each process to be configured and manipulated through it. As the PH of each process executes, a launch message is received by the PM. The initial display on the PM is a list of processes in the system, which is updated dynamically. A user can select a particular process, which instructs the PH of the selected process to display its top-level interface."). It is inherent that since WALDO displays the new process (new service created) along with already executing processes (services previously known) that the combination allows for the display and manipulation of parameters of the new process as well by the client. It is also well known in the art at the time of the invention that buttons on a window or display are used to invoke methods or access data and therefore obvious that a button on the display when invoked would obtain and display the status object. Therefore, it would be obvious to combine the teachings of WALDO with the teachings of HUSAIN and GOOSE in order to allow the user and other processes the ability to call forward the interfaces of both local and remote processes (pg. 10).

As to claim 6, GOOSE teaches the step of modifying (alter) the respective parameters (state) of the process automatically and dynamically in response to manipulations of the status object (top-level interface) displayed (pg. 10, "A user can select a particular process...From here, all data from the user interface is passed

directly to the selected PH and the user can alter or interrogate the state of that process.").

9. Claims 8, 13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over "Monitoring Distributed Systems" by JOYCE in view of BONNELL (US 5,655,081).

As to claim 8, JOYCE teaches a computer workstation (console) for use in a computer network having at least one process manager (controller), the workstation comprising: at least one application or process (created monitorable process); a configuration service (channel) in communicating relationship with the at least one application or process (created monitorable process), wherein the at least one application or process and the configuration service layer cooperate to generate and issue, a registration service request (event / monitoring information) to the at least one process manager (controller) upon opening of the at least one application or process at the computer workstation (see fig. 5; pg. 130, Consoles, "When a monitorable process enters a Jipc system, or is created, it is automatically included in any monitoring session active on its host machine...Monitoring information is collected automatically, and all consoles receive monitoring information in a predefined format from a single controller.."; pg. 129-130, "A system can contain only one controller, its purpose is to serve as a central site through which all events reported to the channels must pass before they are distributed to the consoles."; pg. 128, "A monitorable event occurs whenever a process initiates or completes any of the following operations: entering or leaving a Jipc system..."; pg. 130, Consoles, "Monitoring information is collected

automatically, and all consoles receive monitoring information in a predefined format from a single controller..."; pg. 130, "Consoles for displaying individual Jipc events...have been built."; pg. 139-140, An Event Line Console; pg. 140, "A process's event line is blank before it enters the Jipc system or is created and after it leaves the Jipc system or is killed."). However, JOYCE does not teach a network communication facility wherein the configuration service layer generates and issues a registration request through the network communication facility.

BONNELL teaches a network communication facility (communications module of agent computer / communications module of manager software system) (col. 3, lines 10-15; col. 2, line 67 – col. 3, line 2; col. 9, lines 40-60) wherein the configuration service layer (agent software) generates and issues a registration request (information / state of resources and processes) through the network communication facility (col. 7, lines 1-12). Therefore, it would be obvious at the time of the invention to combine the teachings of JOYCE with the teachings of BONNELL in order to facilitate an enterprise management system that will increase automation and efficiency in network management and decrease the complexity of such management (col. 6, lines 20-47).

As to claim 13, JOYCE teaches a user interface application (console), wherein the process manager (controller) is configured to generate and forward a notification message (monitoring information / events) that identifies the new application or process

(created processes) to the user interface application (console) in response to receiving the registration service request (process has entered the system) (pg. 139-140).

As to claim 15, BOYCE teaches a topology server (agent software system) configured to detect a new device (resource) added to the network and, upon detecting the new device (resource), to issue a notification object (monitoring event) to a user application interface (console) (abstract; col. 7, lines 1-14).

Response to Arguments

4. Applicant's arguments with respect to claims 1-7, 9-12, and 16-21 have been considered but are moot in view of the new ground(s) of rejection.

5. Applicant's arguments filed 9/11/03 have been fully considered but they are not persuasive. Applicant argues that limitations of claim 1 and how they are patentably distinct over the combination of JOYCE and BONNELL. These arguments are persuasive in regards to independent claims 1, 7, and 16 since each of these claims have similar limitations to claim 1. However, claim 8, does not have the similar limitations as one. Claim 8 states that a computer workstation wherein at least one application or process generates a registration service request to a process manager upon opening of the at least one application or process at the computer workstation. Joyce teaches a process that is created or has just entered the system registers with a process manager by sending information concerning an event to the channel process that is executing on the same machine (pg. 128-129). As disclosed in the arguments in

response to claims 1, 7, and 16, Applicant's invention allows one to automatically display notification messages at the network management station without having to close and re-start the management station. This is not stated or disclosed in claim 8. Therefore, claim 8 is met by the combination as disclosed and the rejection it claim 8 is maintained.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis A. Bullock, Jr. whose telephone number is (703) 305-0439. The examiner can normally be reached on Monday-Friday, 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-0286.

Lewis A Bullock Jr

lab